

# DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## **BAGLESS CANISTER VACUUM CLEANER**

the specification of which

☒ is attached hereto

☐ was filed on  
Application Serial No.  
and was amended on  
(if applicable)

☐ was filed as PCT on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed above and have also identified below, by check the box, any foreign application(s) for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application

<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Month/Year Filed)	<u>                    </u> Certified Copy Attached?
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I hereby claim the benefit under 35 U.S.C. 119(e) of an United States provisional application(s) listed below.

<u>60/230,287</u> Application No(s)	<u>01/September/2000</u> (Day/Month/Year Filed)	<input type="checkbox"/> additional provisional application numbers are listed on a supplemental priority data sheet attached
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I hereby claim the benefit under Title 35, United States, § 120 of any United States application(s) or any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information which is material to patentability as defined in Title 37, of Federal Regulations Code, § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

                      
U.S. Parent Application  
or PCT Parent Number

                      
Parent Filing Date  
(MM/DD/YYYY)

                      
Parent Patent Number  
(If Applicable)

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Mark E. Bandy	Reg. No. 33,788	Brian G. Bombenick	Reg. No. 41,463	John T. Connelly	Reg. No. 41,687
David B. Cuper	Reg. No. 47,510	Joseph D. Druher	Reg. No. 37,123	Matthew P. Dugan	Reg. No. 44,063
Patrick D. Floyd	Reg. No. 39,671	Julie A. Fry	Reg. No. 38,340	Steven M. Hens	Reg. No. 37,841
Christopher B. Fagan	Reg. No. 22,987	Michael E. Hudzikowski	Reg. No. 34,183	Edward K. Kennedy	Reg. No. 44,478
Richard M. Klein	Reg. No. 33,040	Thomas E. Kucavsky, Jr.	Reg. No. 28,383	Sandra M. Koonig	Reg. No. 33,723
Scott A. McCollister	Reg. No. 33,961	James W. McKee	Reg. No. 24,482	Richard J. Minnich	Reg. No. 24,175
Jay F. Moldovanyi	Reg. No. 29,678	Philip J. Moy	Reg. No. 31,280	Timothy E. Nauman	Reg. No. 32,283
Erik J. Overmeyer	Reg. No. 44,556	Scott C. Rand	Reg. No. 40,359	Patrick R. Roache	Reg. No. 29,580
James E. Scarborough	Reg. No. 47,036	Mark S. Svat	Reg. No. 34,261	Jason A. Wargoll	Reg. No. 48,044

**SEND CORRESPONDENCE TO:**

Jay F. Moldovanyi, Esq.  
Fay, Sharpe, Fagan, Minnich & McKee, LLP  
1100 Superior Avenue, 7th Floor  
Cleveland, OH 44114-2518

**DIRECT TELEPHONE CALLS TO:**

(name and telephone number)

Jay F. Moldovanyi  
(216) 861-5582

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of sole or first joint inventor: **JOHN S. MURPHY**

Inventor's Signature: John S. Murphy

Residence: Brook Park, OH 44142  
Country of Citizenship: USA

Date: 8/22/2001

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Full name of second joint inventor: **ROBERT A. MATOUSEK**

Inventor's Signature: Robert A. Matousek

Residence: Lakewood, OH 44107  
Country of Citizenship: USA

Date: 8/23/01

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Full name of third joint inventor: **JEFFREY M. KALMAN**

Inventor's Signature: Jeffrey M. Kalman

Residence: Cleveland Heights, OH 44118  
Country of Citizenship: USA

Date: 8-29-01

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Full name of fourth joint inventor: **CRAIG M. SAUNDERS**

Inventor's Signature: Craig M. Saunders

Residence: Rocky River, OH 44116  
Country of Citizenship: USA

Date: 8-31-01

Post Office Address: 21260 Stratford Avenue  
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Full name of fifth joint inventor:

RICHARD C. FARONE

Inventor's Signature: Richard C. FaroneDate: 8/23/01

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Full name of sixth joint inventor:

DAVID DiNUNZIO

Inventor's Signature: David DiNunzioDate: 30-AUG-2001

Residence: Mentor, OH 44060

Country of Citizenship: USA

Post Office Address: 9314 Lakeshore Blvd.  
Mentor, OH 44060

Full name of seventh joint inventor:

MARK E. CIPOLLA

Inventor's Signature: Mark E. CipollaDate: 8-22-2001

Residence: Chardon, OH 44024

Country of Citizenship: USA

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Chardon, OH 44024

Full name of eighth joint inventor:

PAUL D. STEPHENS

Inventor's Signature: Paul D. StephensDate: 8-23-2001

Residence: Twinsburg, OH 44087

Country of Citizenship: USA

Post Office Address: 2811 Myrick Lane  
Twinsburg, OH 44087

Full name of ninth joint inventor:

MICHAEL F. WRIGHT

Inventor's Signature: Michael F. WrightDate: 8/22/01

Residence: Stow, OH 44224

Country of Citizenship: USA

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Full name of tenth joint inventor:

ROBERT A. SALO

Inventor's Signature: Robert A. SaloDate: 8-22-2001

Residence: Mentor, OH 44060

Country of Citizenship: USA

Post Office Address: 9533 Pilgrim Drive  
Mentor, OH 44060

L:\SMH\2001\AUG\RYL2658.DEC

**ASSIGNMENT**

For good and valuable consideration, the receipt of which is hereby acknowledged, We, the undersigned,

**John S. Murphy, Robert A. Matousek, Jeffrey M. Kalman, Craig M. Saunders,  
Richard C. Farone, David DiNunzio, Mark E. Cipolla, Paul D. Stephens,  
Michael F. Wright, Robert A. Salo**

who have created a certain invention for which an application for United States Letters Patent has been executed

☒ concurrently herewith

☐ executed on  
☐ filed; Serial No.

and is entitled

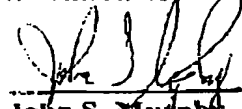
**BAGLESS CANISTER VACUUM CLEANER**

Do hereby sell, assign and transfer to **ROYAL APPLIANCE MFG. CO.**, a corporation of the State of Ohio having a place of business at 7005 Cochran Road, Glenwillow, Ohio 44139, its successors, assigns, and legal representatives, the full and exclusive right to said invention and said application and to any and all inventions described in said application for the United States, its territorial possessions and all foreign countries, and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States, its territorial possessions and all foreign countries; and in and to any and all continuations-in-part, continuations, divisions, substitutes, reissues, extensions thereof, and all other applications for Letters Patent relating thereto which have been or shall be filed in the United States, its territorial possessions and/or any foreign countries, and all rights, together with all priority rights, under any of the international conventions, unions, agreements, acts, and treaties, including all future conventions, unions agreements, acts, and treaties;


Agree that **ROYAL APPLIANCE MFG. CO.**, hereinafter referred to as Assignee, may apply for and receive Letters Patent for said invention and said inventions, hereinafter referred to as said invention, in its own name, in the United States, its territorial possessions, and all foreign countries; and that, when requested to carry out in good faith the intent and purpose of this assignment, at the expense of said Assignee, its successors, assigns and legal representatives, the undersigned will execute all continuations-in-part, continuations, divisions, substitutes, reissues, extensions thereof, execute all rightful oaths, assignments, powers of attorney and other papers, testify in any legal or quasi legal proceedings; communicate to said Assignee, its successors, assigns or legal representatives all facts known to the undersigned relating to said invention and the history thereof; and generally do everything possible which said Assignee, its successors, assigns, or legal representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said invention and for vesting title to said invention and all applications for patents on said invention in said Assignee, its successors, assigns, or legal Representatives; and

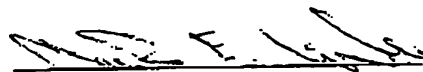
Covenant with said Assignee, its successors, assigns, or legal representatives that no assignment, grant mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

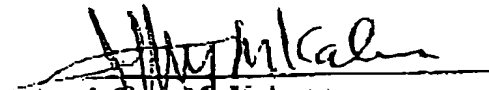
IN TESTIMONY WHEREOF WE have hereunto set OUR signatures on the dates indicated below.


  
 John S. Murphy  
 Date 8/22/01

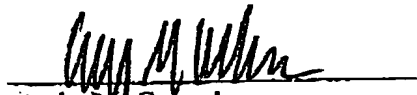
David DiNunzio  
 Date \_\_\_\_\_

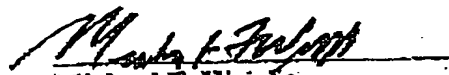
  
 Robert A. Matousek  
 Date 8/23/01

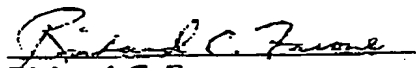
  
 Mark E. Cipolla  
 Date 8-22-2001

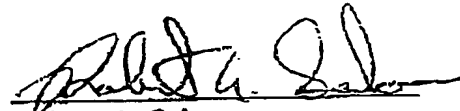
  
 Jeffrey M. Kalman  
 Date 8-29-01

  
 Paul D. Stephens  
 Date 8-23-2001

  
 Craig M. Saunders  
 Date 8-31-01

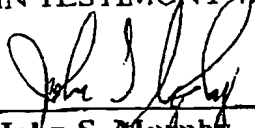
  
 Michael F. Wright  
 Date 8/29/01

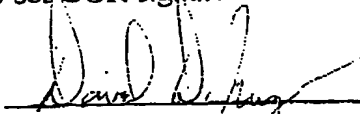
  
 Richard C. Farone  
 Date 8/23/01

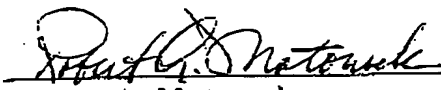
  
 Robert A. Salo  
 Date 8-22-2001

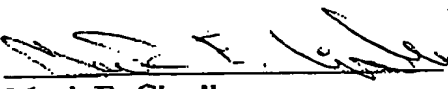
Covenant with said Assignee, its successors, assigns, or legal representatives that no assignment, grant mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

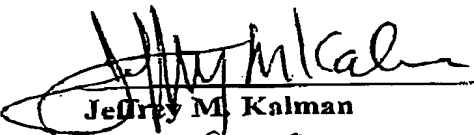
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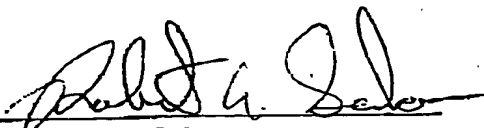
  
 Jeffrey M. Kalman  
 Date 8-29-01

  
 Paul D. Stephens  
 Date 8-23-2001

Craig M. Saunders  
 Date \_\_\_\_\_

  
 Michael F. Wright  
 Date 8/28/01

  
 Richard C. Farone  
 Date 8/23/01

  
 Robert A. Salo  
 Date 8-22-2001